

Application No. 10/067,667
Amendment "C" dated August 4, 2005
Reply to Office Action mailed July 21, 2005

REMARKS

The Office Action of July 21, 2005 considered claims 1-38 and 40-42. Of those claims, claims 1-11 and 17-33 were allowed, and claims 12-16 and 34-38 were rejected under 35 U.S.C. 103(a) as being unpatentable over Frank et al. (U.S. Patent No. 5,651,107) in view of Bertram et al. (U.S. Patent No. 5,652,630). Claims 34-38 and 40-42 were also rejected under 35 U.S.C. 112, second paragraph, as being indefinite.¹

By this paper, all of the rejected claims (12-16, 34-38 and 40-42) have been cancelled, such that all of the rejections of record are now moot. It will be appreciated, however, that these claim cancellations have been made merely to expedite the issuance of the allowed claims 1-11 and 17-33, which are the only claims that remain pending.

It will be noted that Applicant reserves the right to challenge the purported assertions and rejections made in the last office action, including any official notice, at any appropriate time in the future, should it arise, such as, for example, during prosecution of any related applications. In fact, Applicants currently intend to file a continuation to pursue and more fully prosecute the cancelled claims (12-16, 34-38 and 40-42) following this amendment.

Inasmuch as there are no remaining objections or rejections of record, Applicants respectfully submit that the application with pending claims 1-11 and 17-33 should now be allowed. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 5 day of August, 2005.

Respectfully submitted,



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¹ Although the prior art status and some of the assertions made with regard to the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status and assertions made with regard to the cited art, as well as any official notice, which was taken in the last response, at any appropriate time in the future, should the need arise, such as, for example in a subsequent amendment or during prosecution of a related application. Accordingly, Applicants' decision not to respond to any particular assertions or rejections in this paper should not be construed as Applicant acquiescing to said assertions or rejections.